

UNITED STATES DISTRICT COURT
DISTRICT OF NEW YORK
MEXICO

98 OCT -9 PM 3:18

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CRIMINAL NO. 98-184 MV

RICARDO MENDEZ,

Defendant.

Pursuant to Rule 48(a), Fed. R. Crim. P., the United States hereby moves the Court for leave to dismiss the Indictment against defendant Ricardo Mendez for the following reason:

The United States is currently investigating information provided by the defendant which, if proven true, could exonerate the defendant. It is in the interests of justice to dismiss the Indictment without prejudice. The defendant and his counsel concur in this motion.

Wherefore, the United States respectfully requests that the Court grant leave to dismiss the Indictment in this matter against defendant Ricardo Mendez and that the Indictment against Ricardo Mendez be dismissed without prejudice.

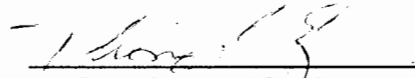
JOHN J. KELLY
United States Attorney



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing pleading was mailed to opposing counsel this 9th day of October, 1998.



THOMAS L. ENGLISH

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